

## COUNCIL

**Minutes of the meeting of the Council held on Wednesday, 24 July 2024 in the Council Chamber - Council Offices at 6.00 pm**

**Members Present:**

|                      |                      |
|----------------------|----------------------|
| Cllr T Adams         | Cllr M Batey         |
| Cllr K Bayes         | Cllr D Birch         |
| Cllr H Blathwayt     | Cllr J Boyle         |
| Cllr A Brown         | Cllr C Cushing       |
| Cllr N Dixon         | Cllr P Fisher        |
| Cllr A Fitch-Tillett | Cllr T FitzPatrick   |
| Cllr A Fletcher      | Cllr W Fredericks    |
| Cllr M Hankins       | Cllr C Heinink       |
| Cllr P Heinrich      | Cllr V Holliday      |
| Cllr R Macdonald     | Cllr G Mancini-Boyle |
| Cllr P Neatherway    | Cllr P Porter        |
| Cllr C Ringer        | Cllr L Shires        |
| Cllr E Spagnola      | Cllr M Taylor        |
| Cllr J Toye          | Cllr K Toye          |
| Cllr E Vardy         | Cllr A Varley        |
| Cllr L Vickers       | Cllr L Withington    |

**Also in attendance:** The Chief Executive, the Director for Resources, The Monitoring Officer, the Democratic Services Officer (Regulatory)

### **18 APOLOGIES FOR ABSENCE**

Apologies were received from Cllrs P Bailey, S Butikofer, N Housden, L Paterson, S Penfold, J Punchard and R Sims.

### **19 MINUTES**

### **20 TO RECEIVE DECLARATIONS OF INTERESTS FROM MEMBERS**

None received.

### **21 ITEMS OF URGENT BUSINESS**

None received.

### **22 CHAIRMAN'S COMMUNICATIONS**

The Chairman informed Members of recent civic events that they had attended:

6<sup>th</sup> June – D Day commemoration and Beacon Lighting in Stalham  
9<sup>th</sup> June – Civic service and inauguration of the Mayor of Kings Lynn  
16<sup>th</sup> June – High Sheriff of Norfolk Summer Reception, East Winch Hall  
29<sup>th</sup> June – Armed Forces Day, Northrepps  
29<sup>th</sup> June – Cromer Pier Show

### **23 LEADER'S ANNOUNCEMENTS**

The Leader, Cllr T Adams, began by welcoming Cllr K Leith to the Council following

her recent election. He then thanked the Electoral Services team and supporting staff for their hard work at the General Election. The count had gone extremely well and there had been a lot of positive feedback.

The Leader said that he was pleased to inform members that the Council had retained its Green Flags at Holt Country Park, Pretty Corner and Sadlers Wood. He then spoke about the Pier of the Year award, which had been formally received on the opening night of the Cromer Pier Show. He thanked the Council's Leisure partner, Openwide and the NNDC Property Services team for their hard work in maintaining the pier.

He then spoke about the recent Healthwatch meeting on the future of Benjamin Court in Cromer. The representations by the Council had been welcomed by care providers, former patients and campaigners. The Council had also written to the Secretary of State for Health and Social Care, Wes Streeting MP, to highlight the opportunities that the Benjamin Court site presented regarding the provision of beds to relieve the impact of delayed discharging of patients from hospitals. The Council's response to the Healthwatch consultation would be published on the NNDC website in due course.

The Leader said that the Council had been in contact with the new Government, making the case for opportunities in North Norfolk and would continue to do so in the coming weeks. In conclusion, the Leader encouraged all members to take a break over the summer and enjoy everything that the district had to offer.

## **24 PUBLIC QUESTIONS AND STATEMENTS**

None received.

## **25 APPOINTMENTS TO COMMITTEES, SUB-COMMITTEES, PANELS, FORUMS AND OUTSIDE BODIES**

The Leader, Cllr T Adams advised Council of the following changes:

- Cllr J Toye to be appointed as the Council's representative on the Norfolk Community Safety Scrutiny Sub-panel, with Cllr S Butikofer as substitute.
- Overview & Scrutiny Committee – Cllr P Heinrich to replace Cllr R MacDonald, with Cllr MacDonald becoming a substitute.
- Integrated Care Partnership – Cllr W Fredericks to replace Cllr J Boyle as the substitute.

The following appointment was a Full Council decision and Cllr Adams proposed the following appointment, seconded by Cllr L Shires. It was put to the vote and

**RESOLVED** that

Cllr L Withington would replace Cllr S Penfold on the Norfolk Records Committee

## **26 PORTFOLIO REPORTS**

Cllr T FitzPatrick asked the Leader, Cllr T Adams, about the ongoing problem of the long-term scaffolding in Norwich Street, Fakenham. He said he was receiving complaints from residents on a continual basis. He said that it was dangerous as people had to step onto the road to get past and it also looked a mess. People on mobility scooters found it particularly dangerous. He concluded by asking why this

listed building was still being left neglected after 5 years. He referenced the publication 'Stopping the Rot' by Historic England, which provided guidance for local authorities on managing buildings that were falling into disrepair and questioned whether there was an intention to compulsorily purchase the property before it collapsed.

Cllr Adams replied that he appreciated the concerns that had been raised regarding this property but reminded members that it did not belong to the Council and options to address the issues were limited. However, there had been an agreement regarding the scaffolding and the access would be improved soon. Regarding a compulsory purchase, he said that he wished it was a straightforward process and despite a brief reference to it in the King's Speech, it was not yet clear whether it would be simplified and made less costly for local authorities. As it currently stood, the process was lengthy and complex. He concluded by saying that discussions were ongoing with the owner of the property and all options would be considered in the future. Cllr FitzPatrick asked whether a dangerous building notice had been served and whether the Leader could confirm that all the required processes had been followed to date. Cllr Adams replied that any immediate danger posed by the property had been addressed several years ago. Adding that dialogue continued with the owner of the property and local members were welcome to participate in this if they wished.

Cllr L Vickers said that she also wanted to comment on this issue. She said that there was no reason why the matter should proceed at a glacial pace. Several months ago she had requested that officers take independent advice regarding the rights and responsibilities of the owners and the options for the Council. However, when Cllr Vickers had asked to see this advice, none had been received. She asked if Cllr Adams would commit to officers receiving independent legal advice so they could proceed with addressing the issues as a matter of urgency. Cllr Adams said that the Council had pushed back firmly regarding the rights and obligations of the leaseholders and the Chamber wasn't an appropriate setting to discuss this matter. There was no decision to be made immediately, however, where any resources were needed to deal with the issue, then Cabinet would consider them favourably. He said that the Council was doing everything it could to address the problems but it was not straightforward. Regarding legal advice, Cllr Adams said that when it was needed it would be sought. The Council had an in-house legal team and they had provided advice on other similar properties. He concluded by saying that members could request an update from officers on any matter in their ward at any time.

Cllr K Toye asked Cllr W Fredericks, Portfolio Holder for Housing, about the increase in early interventions. She sought clarification as to whether this was linked to the improvement in the temporary accommodation figure/reduction and if so, would there be further funding to extend this work, particularly external funding. Cllr Fredericks replied that early intervention was increasing and a prevention team was working with local hostels and shelters to encourage people to contact them as soon as possible if they were facing homelessness so that all of the options available could be discussed. She added that officers also worked with domestic abuse victims and survivors to ensure that their homes were safe so they could stay in their residence if they wanted to. In addition, the Council's Housing Allocation Policy was being reviewed and officers were working with partners, including registered housing providers to ensure that the needs of vulnerable residents were being met. Regarding funding, this came from outside agencies and the Government and the Council had no control over this, which meant that officers had to work from year to year with the allocated funding. She concluded by thanking all of the officers, including the Benefits Team, who worked so hard to support residents.

Cllr E Vardy asked Cllr L Shires, Portfolio Holder for Finance, about the setting of the Budget for 2024/25. He said it was only balanced because it included savings of £1.25m, of which £250k was still to be found. He asked Cllr Shires to confirm whether these savings had been identified and if she could provide more information. Cllr Shires replied that the Overview & Scrutiny Committee had worked with her to monitor the savings and an update would be provided as part of the next Budget Monitoring report, which would be presented to Members in September. She said that she would take any further questions following that update.

Cllr G Mancini-Boyle asked Cllr A Varley, Portfolio Holder for Climate Change & Net Zero for an update on costings and timelines for the Council's net zero targets. Cllr Varley said that he did not understand the question. Cllr G Mancini-Boyle said that he had not seen any costings for the Council building or any other council-owned properties such as Cromer pier. Cllr Varley replied that it was a complex question. He said that there was an ongoing consultation regarding the Council offices and he hoped to be able to share costings relating to this project soon. Once this information was available, a decision could be taken as to whether to use the £500k funding which had been allocated towards achieving carbon neutrality. There was also the possibility of accessing external funding too. Cllr Mancini-Boyle asked for clarification as to whether the work to assess Council-owned properties had already been undertaken. Cllr Varley replied that the assessment of the Council Offices was currently in progress and the report would be shared with members in due course. Regarding the wider estate, he said some of this had been completed and he was happy to share this with members.

Cllr P Heinrich asked Cllr A Brown, Portfolio Holder for Planning & Enforcement, about the recent letter received from the Planning Inspector. He asked if Cllr Brown was able to share any key issues that had been identified. Cllr Brown replied that the letter from the Planning Inspector regarding the Local Plan had been received earlier that week. It had been delayed due to the General Election. The Planning Policy team were working through the details set out in the 14 page letter and an update would be provided to the next meeting of the Development Committee and the letter would be made available on the Council's website. He then outlined the key points – more work was needed before the local plan could be adopted but overall it was positive in that there were clear options suggested by the Planning Inspector to address the issues. The Inspector was happy with the 'Duty to Cooperate' arrangements and the technical and legal support that was in place. In summary there were four main areas –

1. Housing need – it was likely that the housing target would need to be increased, and in so doing the methodology to achieve this would need to be clarified.
2. The strategy – the Inspector was concerned that the Council needed to deliver more housing, particularly in the next 5 years.
3. Questions around the 'Growth to Small Villages' policy. The Inspector came up with some helpful suggestions for this.
4. The housing assessment process for gypsies and travellers needs to be improved.

Cllr Brown said that specialist advice would be needed regarding the latter. He would work with the Planning Policy team regarding the wider feedback and provide a further update to members outlining the findings and options as soon as possible. He added that some processes were already fixed so it could take some time, however, he remained fully committed to getting the Local Plan adopted on schedule and he would not allow changes to Government policy to derail it.

Cllr C Cushing asked Cllr Brown about the Fakenham urban extension and if he could outline what progress was being made to mitigate the impact of nutrient neutrality so that the housing development could commence. He asked for details of the proposed schemes and the cost implications. Cllr Brown replied that it was not yet known how successful the work that had been done with Norfolk County Council, Natural England and Anglian Water to ensure that funding was obtained from the right quarters to unlock the roundabout cost had been. The roundabout issues had contributed to the delay of the wider project. He said that the new Government had indicated that the previous Government's approach to resolving nutrient neutrality issues before planning permission was granted had not worked and it looked as though a different approach would be taken going forward. He concluded by offering to provide any more information if required. Cllr Cushing asked when it was likely that there would be more clarity around this issue. Cllr Brown said that this would only be possible if he received an update from the Government.

Cllr J Boyle asked Cllr H Blathwayt, Portfolio Holder for Coast, if he intended to give the Happisburgh petition due consideration, even though it didn't meet the criteria for consideration by the Overview & Scrutiny Committee. Cllr Blathwayt said that he intended to consider the petition, even though it didn't meet the threshold. He said that Coastwise and Coastal Partnership East (CPE) had been made aware and were considering the matters raised. He added that the petition conflated the protection of the Norfolk Broads with sedimentary transfer from Happisburgh which wasn't entirely accurate.

## **27 REVIEW OF POLITICAL BALANCE AND ALLOCATION OF SEATS TO COMMITTEES, SUB-COMMITTEES, WORKING PARTIES AND PANELS**

The Chairman asked the Leader, Cllr Adams, if he wanted to speak to this item. He said that it was a statutory report for information only following any changes to the political make-up of the Council.

It was proposed by Cllr T Adams, seconded by Cllr L Shires and

**RESOLVED**

- 1.** That Council approves the revised political balance calculation as per section 2.6 of this report
- 2.** That Council approves the allocation of seats to political groups as shown at Appendix A, noting that there is no change to the previous allocation agreed at the AGM on 15<sup>th</sup> May 2024.

## **28 RECOMMENDATIONS FROM CABINET 08 JULY 2024**

The Chairman asked members if they wished to take the recommendations en bloc or consider them separately. Cllr Adams said that he was supportive of the recommendations being taken en bloc. Cllr L Shires, Portfolio Holder for Finance, agreed and said she welcomed any comments from members.

Cllr C Cushing referred to page 82 of the report, it stated that the income for Serco performance failures was £572k. He asked Cllr Shires if this figure surprised her and said he hoped she would confirm that it was not being relied on to balance the budget going forward. He also asked about the Innovation Fund and what this would be used for. Cllr Ringer, Portfolio Holder for Environment & Waste, replied that the fund was there to hold income generated by performance failures relating to the

waste contract and the money was ring-fenced for spending on innovations to improve the delivery of the contract. He gave the example of introducing measures to improve carbon reduction or cleaning services.

Cllr Cushing asked if the income raised due to performance failures on the waste contract was likely to be lower in this financial year. Cllr Ringer replied that it was too early to say but he was hopeful that it would be lower, however it did depend on performance across the three councils involved in the shared contract.

It was proposed by Cllr T Adams, seconded by Cllr L Shires and

**RESOLVED**

1. Outturn Report 2023 – 2024

**RESOLVED to approve**

- a) The provisional outturn position for the General Fund revenue account for 2023/24 (as shown in Appendix A);
- b) The transfers to and from reserves as detailed within the report (and Appendix C) along with the corresponding updates to the 2024/25 budget;
- c) The deficit of £0.937m relating to service overspends be funded from the General Reserve (£0.737m) and the Treasury Management Reserve (£0.200m);
- d) The balance on the General Reserve of £2.148m
- e) The surplus of £2.1m relating to retained business rates be transferred to the Business Rates Reserve;
- f) The financing of the 2023/24 capital programme as detailed within the report and at Appendix D.
- g) The updated capital programme for 2024/25 to 2026/27 and scheme financing as outlined within the report and detailed at Appendix E;
- h) The roll-forward requests as shown in paragraph 5.5.
- i) Approval of additional funding to cover capital project overspends of £0.429k as detailed in paragraph 6.7.

2. Treasury Outturn Report 2023 – 2024

**RESOLVED to approve the Treasury Outturn Position (subject to amendment following clarification of figures in Table 1 and Table 2 in Appendix A)**

3. Debt Recovery 2023 – 2024

**RESOLVED to**

- 1. approve the annual report which details the Council's write-offs, in accordance with the Council's Debt Write-Off Policy and performance in relation to revenues collection.
- 2. approve the suggested change to the delegated authority as shown in appendix 2 for write offs (increase team leaders' authorisation levels from £4k to £5k which is line with other authorisations).
- 4. Housing Benefit Debt Recovery Report – 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2024

**RESOLVED to approve the annual report detailing Housing Benefit**

**Overpayment debt recovery in accordance with the Council's Debt Recovery Policy, Write-off Policy and Housing Benefit Overpayment Recovery Policy.**

**29 RECOMMENDATIONS FROM THE OVERVIEW & SCRUTINY COMMITTEE 17 JULY 2024**

The Chairman of the Overview & Scrutiny Committee, Cllr N Dixon, informed members that the recommendations from the last meeting of the Committee had not yet been finalised and he proposed that they came to the next Full Council meeting for consideration.

**30 RECOMMENDATIONS FROM GOVERNANCE, RISK & AUDIT COMMITTEE 26TH MARCH 2024**

In the absence of the Chairman, Vice-Chairman of GRAC, Cllr J Boyle, introduced this item. She said that the reports had been fully considered by the Committee and Cabinet and she proposed the recommendations.

It was proposed by Cllr J Toye, seconded by Cllr J Boye and

**RESOLVED** to approve

1. The anti-money laundering policy.
2. The Counter-fraud, Corruption and Bribery Policy, as amended.

**31 QUESTIONS RECEIVED FROM MEMBERS**

None received.

**32 OPPOSITION BUSINESS**

None received.

**33 NOTICE(S) OF MOTION**

None received.

**34 EXCLUSION OF PRESS AND PUBLIC**

**35 PRIVATE BUSINESS**

The meeting ended at 6.48 pm.

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Chairman